



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 24, 2008

Representative James Phinizy, Chairman
Environment and Agriculture Committee
Legislative Office Building, Room 303
Concord, NH 03301

SUBJECT: HB-1635-FN - AN ACT relative to permits for motor vehicle salvage facilities and motor vehicle crushers.

Dear Chairman Phinizy and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 1635-FN. This legislation authorizes the Department of Environmental Services (Department) to establish a General Permit for the operation of motor vehicle salvage yards and motor vehicle crushers. The General Permit will serve as a single tool for regulating all aspects of those operations in order to assure protection of environmental quality and compliance with a broad spectrum of existing environmental requirements. The Department supports this legislation because it will greatly simplify and improve the agency's ability to assure that the motor vehicle salvage industry is protecting environmental quality and public health in New Hampshire.

The motor vehicle recycling industry is the leading recycling industry in the United States. Nationwide, millions of motor vehicles reach the end of their useful service lives each year and are sent to motor vehicle salvage yards (MVSYS) where they are dismantled for reuse of parts and subsequently crushed to facilitate recycling of scrap material. MVSYS typically recycle between 75% and 85% of the material content of end-of-life vehicles (ELVs), by weight. This contributes significantly toward conserving natural resources and reducing the demand for landfill space.

However, poorly operated MVSYS and crushers can have a serious adverse impact on environmental quality. MVSYS and crushers handle many types of fluids, including gasoline, diesel fuel, motor oil and other oils, lubricants, brake fluids, anti-freeze, and solvents. Each of these has the potential to contaminate groundwater, surface water, and soils if not properly drained, contained, stored, and disposed of or recycled. In addition, car manufacturers put many other hazardous materials in motor vehicles, including mercury in light switches, ABS brake systems, and head lights; acutely toxic sodium azide in air bag cartridges; lead in wheel weights and lead acid batteries; and chlorofluorocarbons (CFCs) in air conditioning systems. MVSYS and crushers are ultimately responsible for properly managing each of these materials. The quality of their work is critical to protecting our environment, public health, and safety.

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In New Hampshire, there are over 150 MVSYS handling tens of thousands of vehicles annually and there are a number of crushers, both stationary and mobile. Many of those facilities are doing a good job complying with environmental protection requirements. However, over 25% of the MVSYS in this state are known to have caused groundwater contamination and an even larger percentage has other environmental compliance issues. Poorly operated crushers further contribute to this problem.

This legislation will improve both the way the Department currently regulates MVSYS and crushers, and our ability to implement compliance assurance efforts. At present, at least nine different Department programs and corresponding sets of administrative rules apply to various aspects of salvaging and crushing end-of-life motor vehicles. By consolidating all of those existing regulatory requirements into one place under the terms and conditions of a General Permit, the Department will be able to provide more consistency and improve efficiencies in its efforts to assure facilities are complying with environmental protection requirements. In addition, this legislation will make it easier for the Department to identify and locate facilities for compliance assurance purposes, because it establishes the requirement for facility operators to notify the Department as to their existence and location. Currently, there is no notification requirement, which means the Department must expend its own resources searching for facilities in order to assure compliance.

Thank you again for this opportunity to testify in favor of this legislation. If you have any questions, please do not hesitate to contact me or the Director of the Department's Waste Management Division, Michael Wimsatt at 271-2905.

Sincerely,

A handwritten signature in black ink, which appears to read "Thomas Burack". There is a large, stylized red "X" or mark over the signature.

Thomas Burack
Commissioner

cc: Bill Sponsors: Rep. David Knox, Rep. Peter Schmidt, & Sen. Betsey DeVries
Michael J. Wimsatt, P.G., Director, Waste Management Division
Pamela Hoyt-Denison, P.E., Waste Management Division